

B1 (Official Form 1)(04/13)

<b>United States Bankruptcy Court</b> <b>Southern District of New York</b>		<b>Voluntary Petition</b>
Name of Debtor (if individual, enter Last, First, Middle): <b>Simmons, Earl</b>		Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): <b>AKA DMX; AKA Dark Man X</b>		All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all) <b>xxx-xx-2580</b>		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)
Street Address of Debtor (No. and Street, City, and State): <b>142 McLain Street</b> <b>Mount Kisco, NY</b> <div style="text-align: right; font-size: small;">ZIP Code <b>10549</b></div>		Street Address of Joint Debtor (No. and Street, City, and State): <div style="text-align: right; font-size: small;">ZIP Code</div>
County of Residence or of the Principal Place of Business: <b>Westchester</b>		County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address): <b>424 Ruby Ridge Road</b> <b>Lyman, SC</b> <div style="text-align: right; font-size: small;">ZIP Code <b>29365</b></div>		Mailing Address of Joint Debtor (if different from street address): <div style="text-align: right; font-size: small;">ZIP Code</div>
Location of Principal Assets of Business Debtor (if different from street address above):		
<b>Type of Debtor</b> (Form of Organization) (Check one box) <input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<b>Nature of Business</b> (Check one box) <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input type="checkbox"/> Other	<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding
<b>Chapter 15 Debtors</b> Country of debtor's center of main interests:  Each country in which a foreign proceeding by, regarding, or against debtor is pending:	<b>Tax-Exempt Entity</b> (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	<b>Nature of Debts</b> (Check one box) <input checked="" type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input type="checkbox"/> Debts are primarily business debts.
<b>Filing Fee</b> (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.		<b>Chapter 11 Debtors</b> Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,490,925 ( <i>amount subject to adjustment on 4/01/16 and every three years thereafter</i> ). Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
<b>Statistical/Administrative Information</b> <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.		THIS SPACE IS FOR COURT USE ONLY
<b>Estimated Number of Creditors</b> <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> OVER 100,000		
<b>Estimated Assets</b> <input checked="" type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion		
<b>Estimated Liabilities</b> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion		

**Voluntary Petition***(This page must be completed and filed in every case)*

Name of Debtor(s):

**Simmons, Earl****All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet)

Location

Where Filed: **United States Bankruptcy Court SDNY**

Case Number:

**09-24358 (RDD)**

Date Filed:

**12/16/09**

Location

Where Filed: **United States Bankruptcy Court SDNY**

Case Number:

**09-23459 (RDD)**

Date Filed:

**8/12/09****Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor** (If more than one, attach additional sheet)

Name of Debtor:

**- None -**

Case Number:

Date Filed:

District:

Relationship:

Judge:

**Exhibit A**

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

☐ Exhibit A is attached and made a part of this petition.**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts.)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).

**X /s/ Joel M. Shafferman****July 29, 2013**

Signature of Attorney for Debtor(s)

(Date)

**Joel M. Shafferman JMS-1055****Exhibit C**

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.☒ No.**Exhibit D**

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

☒ Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.**Information Regarding the Debtor - Venue**

(Check any applicable box)

- ☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.
- ☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

**Certification by a Debtor Who Resides as a Tenant of Residential Property**

(Check all applicable boxes)

- ☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

\_\_\_\_\_  
(Name of landlord that obtained judgment)

\_\_\_\_\_  
(Address of landlord)

- ☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and
- ☐ Debtor has included with this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.
- ☐ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

**Voluntary Petition***(This page must be completed and filed in every case)*

Name of Debtor(s):

**Simmons, Earl****Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X /s/ Earl Simmons**Signature of Debtor **Earl Simmons****X**

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

**July 29, 2013**

Date

**Signature of Attorney\*****X /s/ Joel M. Shafferman**

Signature of Attorney for Debtor(s)

**Joel M. Shafferman JMS-1055**

Printed Name of Attorney for Debtor(s)

**Shafferman & Feldman LLP**

Firm Name

**18 East 41st Street****Suite 1201****New York, NY 10017**

Address

Email: **joel@shafeldlaw.com****212 509-1802 Fax: 212 509-1831**

Telephone Number

**July 29, 2013**

Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

**Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X**

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

**Signature of a Foreign Representative**

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.

☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

**X**

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

**Signature of Non-Attorney Bankruptcy Petition Preparer**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

Address

**X**

Date

Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

*A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. §110; 18 U.S.C. §156.*

B4 (Official Form 4) (12/07)

**United States Bankruptcy Court**  
**Southern District of New York**

In re **Earl Simmons**

Debtor(s)

Case No.

Chapter

**11**

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
American Honda Finance 600 Kelly Way Holyoke, MA 01040	American Honda Finance 600 Kelly Way Holyoke, MA 01040	Auto Lease		21,415.00
Amusing Diversions, Inc. c/o Daniel A. Eigerman 260 Madison Avenue, 16th Floor New York, NY 10016	Amusing Diversions, Inc. c/o Daniel A. Eigerman 260 Madison Avenue, 16th Floor New York, NY 10016	Judgment Arising Out of Commercial Claim	Disputed	200,590.61
Bureau Of Med Econcs 326 E Coronado Rd Phoenix, AZ 85004	Bureau Of Med Econcs 326 E Coronado Rd Phoenix, AZ 85004	Medical Services		440.00
Child Support Enforcem PO Box 14 Albany, NY 12201	Child Support Enforcem PO Box 14 Albany, NY 12201	Family Support		1,245,759.00
Child Support Enforcem PO Box 14 Albany, NY 12201	Child Support Enforcem PO Box 14 Albany, NY 12201	Family Support		84,410.00
Escallate LLC 5200 Stoneham Rd North Canton, OH 44720	Escallate LLC 5200 Stoneham Rd North Canton, OH 44720	Orginal Creditor Emp Of Gaston County Pllc.		455.00
First Fed Credit & Col 5821 Hollywood Blvd Ste Hollywood, FL 33021	First Fed Credit & Col 5821 Hollywood Blvd Ste Hollywood, FL 33021	Original Creditor Biscayne Echo Associates Inc.		300.00
First Fed Credit & Col 5821 Hollywood Blvd Ste Hollywood, FL 33021	First Fed Credit & Col 5821 Hollywood Blvd Ste Hollywood, FL 33021	Original Creditor Biscayne Echo Associates Inc.		275.00
First Fed Credit & Col 5821 Hollywood Blvd Ste Hollywood, FL 33021	First Fed Credit & Col 5821 Hollywood Blvd Ste Hollywood, FL 33021	Original Creditor Biscayne Echo Associates Inc		225.00
Gulf Coast Collection 5630 Marquesas Cir Sarasota, FL 34233	Gulf Coast Collection 5630 Marquesas Cir Sarasota, FL 34233	Original Creditor United Radiology-Aventur a		717.00
Integral Recoveries Inc 750 W Hampden Ave Ste 50 Englewood, CO 80110	Integral Recoveries Inc 750 W Hampden Ave Ste 50 Englewood, CO 80110	Medical Charges		2,663.00

B4 (Official Form 4) (12/07) - Cont.

In re **Earl Simmons**

Case No. \_\_\_\_\_

Debtor(s)

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

(Continuation Sheet)

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
Irina Priporina 16 Sunningdale Circle Englishtown, NJ 07726	Irina Priporina 16 Sunningdale Circle Englishtown, NJ 07726	Judgment		90,000.00
LDC Collect P.O. Box 52110 Phoenix, AZ 85072	LDC Collect P.O. Box 52110 Phoenix, AZ 85072	Original Creditor Scottsdale Muni		747.00
Olga Priporina 124 Clifford Street Hamden, CT 06517	Olga Priporina 124 Clifford Street Hamden, CT 06517	Judgment		62,601.98
Pentagroup Financial 5959 Corporate Dr Ste 14 Houston, TX 77036	Pentagroup Financial 5959 Corporate Dr Ste 14 Houston, TX 77036	Original Creditor ADT		195.00
Pentagroup Financial 5959 Corporate Dr Ste 14 Houston, TX 77036	Pentagroup Financial 5959 Corporate Dr Ste 14 Houston, TX 77036	Original Creditor ADT		195.00
Pentagroup Financial 5959 Corporate Dr Ste 14 Houston, TX 77036	Pentagroup Financial 5959 Corporate Dr Ste 14 Houston, TX 77036	Original creditor ADT		195.00
Portfolio Recvry&Affil 120 Corporate Blvd Ste 1 Norfolk, VA 23502	Portfolio Recvry&Affil 120 Corporate Blvd Ste 1 Norfolk, VA 23502	Original Creditor Citibank South Dakota N.A.		4,207.00
Rec Mgt Grp 2901 University Av #29 Columbus, GA 31907	Rec Mgt Grp 2901 University Av #29 Columbus, GA 31907	Medical Services		260.00
Sergey Priporin 124 Clifford Street Hamden, CT 06517	Sergey Priporin 124 Clifford Street Hamden, CT 06517	Judgment		93,208.78

**DECLARATION UNDER PENALTY OF PERJURY  
ON BEHALF OF A CORPORATION OR PARTNERSHIP**

I, **Earl Simmons**, the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date July 29, 2013

Signature /s/ Earl Simmons

**Earl Simmons**

Debtor

*Penalty for making a false statement or concealing property:* Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
18 U.S.C. §§ 152 and 3571.

B6A (Official Form 6A) (12/07)

In re **Earl Simmons**

Case No. \_\_\_\_\_

Debtor

## SCHEDULE A - REAL PROPERTY

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

**Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.**

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim
One half interest in the real property known as and located at 142 McClain Street Mount Kisco, New York 10549.	Fee simple	-	Unknown	453,702.00

Sub-Total > **0.00** (Total of this page)

Total > **0.00**

(Report also on Summary of Schedules)

0 continuation sheets attached to the Schedule of Real Property

B6D (Official Form 6D) (12/07)

In re **Earl Simmons**

Case No. \_\_\_\_\_

Debtor

## SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	H U S B A N D  W I F E  J O I N T  C O M M U N I T Y	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. xxxxxxxxx1204			Opened 6/05/03 Last Active 6/01/08 First Mortgage One half interest in the real property known as and located at 142 McClain Street Mount Kisco, New York 10549.				453,702.00	Unknown
Compass Bank c/o Chris Pavlik, Fein Such & Crane LLP 747 Chestnut Ridge Road Spring Valley, NY 10977		-	Value \$ Unknown					
Account No.								
			Value \$					
Account No.								
			Value \$					
Account No.								
			Value \$					
Subtotal (Total of this page)							453,702.00	0.00
Total (Report on Summary of Schedules)							453,702.00	0.00

0 continuation sheets attached

In re **Earl Simmons**

Case No. \_\_\_\_\_

Debtor

**SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

**TYPES OF PRIORITY CLAIMS** (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)**☒ Domestic support obligations**

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

**☐ Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

**☐ Wages, salaries, and commissions**

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$12,475\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

**☐ Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

**☐ Certain farmers and fishermen**

Claims of certain farmers and fishermen, up to \$6,150\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

**☐ Deposits by individuals**

Claims of individuals up to \$2,775\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).

**☐ Taxes and certain other debts owed to governmental units**

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

**☐ Commitments to maintain the capital of an insured depository institution**

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

**☐ Claims for death or personal injury while debtor was intoxicated**

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amount subject to adjustment on 4/01/16, and every three years thereafter with respect to cases commenced on or after the date of adjustment.



B6E (Official Form 6E) (4/13) - Cont.

In re **Earl Simmons**

Case No. \_\_\_\_\_

Debtor

**SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**  
(Continuation Sheet)

**Domestic Support Obligations**

TYPE OF PRIORITY

CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B O R R	H U S B A N D  W I F E  J O I N T  C O M M U N I T Y	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY
								AMOUNT ENTITLED TO PRIORITY
Account No. <b>xxxxx66R1</b>  <b>Child Support Enforcem</b> <b>PO Box 14</b> <b>Albany, NY 12201</b>		-	<b>Opened 2/07/11 Last Active 4/18/12</b>  <b>Family Support</b>					<b>0.00</b>
							<b>1,245,759.00</b>	<b>1,245,759.00</b>
Account No. <b>xxxxx42C1</b>  <b>Child Support Enforcem</b> <b>PO Box 14</b> <b>Albany, NY 12201</b>		-	<b>Opened 7/13/05 Last Active 6/03/13</b>  <b>Family Support</b>					<b>0.00</b>
							<b>84,410.00</b>	<b>84,410.00</b>
Account No.								
Account No.								
Account No.								
Subtotal								<b>0.00</b>
(Total of this page)							<b>1,330,169.00</b>	<b>1,330,169.00</b>
Total								<b>0.00</b>
(Report on Summary of Schedules)							<b>1,330,169.00</b>	<b>1,330,169.00</b>

Sheet **1** of **1** continuation sheets attached to  
Schedule of Creditors Holding Unsecured Priority Claims

B6F (Official Form 6F) (12/07)

In re **Earl Simmons**

Case No. \_\_\_\_\_

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R  H U S B A N D W I F E J O I N T C O M M U N I T Y	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. <b>xxxx3875</b>  <b>American Honda Finance</b> <b>600 Kelly Way</b> <b>Holyoke, MA 01040</b>	-	<b>Opened 10/22/04 Last Active 10/03/06</b> <b>Auto Lease</b>				<b>21,415.00</b>
Account No.  <b>Amusing Diversions, Inc.</b> <b>c/o Daniel A. Eigerman</b> <b>260 Madison Avenue, 16th Floor</b> <b>New York, NY 10016</b>	-	<b>Judgment Arising Out of Commercial Claim</b>			<b>X</b>	<b>200,590.61</b>
Account No.  <b>Brian Niemitolo and Jessica Fowler</b> <b>Niemitolo</b> <b>1375 Lyman Road</b> <b>Inman, SC 29349</b>	-	<b>Claim Under Purported Lease Agreement</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>0.00</b>
Account No. <b>xxx3524</b>  <b>Bureau Of Med Econcs</b> <b>326 E Coronado Rd</b> <b>Phoenix, AZ 85004</b>	-	<b>Opened 1/09/12</b> <b>Medical Services</b>				<b>440.00</b>
Subtotal (Total of this page)						<b>222,445.61</b>

5 continuation sheets attached

B6F (Official Form 6F) (12/07) - Cont.

In re **Earl Simmons**

Case No. \_\_\_\_\_

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. <b>xxxx6645</b>  <b>Escallate LLC</b> <b>5200 Stoneham Rd</b> <b>North Canton, OH 44720</b>	-	Opened 5/04/12 Original Creditor Emp Of Gaston County Pllc.				455.00
Account No. <b>xx4687</b>  <b>First Fed Credit &amp; Col</b> <b>5821 Hollywood Blvd Ste</b> <b>Hollywood, FL 33021</b>	-	Opened 8/11/09 Original Creditor Biscayne Echo Associates Inc.				300.00
Account No. <b>xx4686</b>  <b>First Fed Credit &amp; Col</b> <b>5821 Hollywood Blvd Ste</b> <b>Hollywood, FL 33021</b>	-	Opened 8/11/09 Original Creditor Biscayne Echo Associates Inc.				275.00
Account No. <b>xx4685</b>  <b>First Fed Credit &amp; Col</b> <b>5821 Hollywood Blvd Ste</b> <b>Hollywood, FL 33021</b>	-	Opened 8/11/09 Original Creditor Biscayne Echo Associates Inc				225.00
Account No. <b>xx6613</b>  <b>First Fed Credit &amp; Col</b> <b>5821 Hollywood Blvd Ste</b> <b>Hollywood, FL 33021</b>	-	Opened 5/06/09 Original Creditor Biscayne EKG Associates				75.00
Sheet no. <u>1</u> of <u>5</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page)
						<b>1,330.00</b>

B6F (Official Form 6F) (12/07) - Cont.

In re **Earl Simmons**

Case No. \_\_\_\_\_

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. <b>xx6612</b>  <b>First Fed Credit &amp; Col</b> <b>5821 Hollywood Blvd Ste</b> <b>Hollywood, FL 33021</b>	-	<b>Opened 5/06/09</b> <b>Collection Biscayne EKG Associates</b>				<b>75.00</b>
Account No. <b>xx6614</b>  <b>First Fed Credit &amp; Col</b> <b>5821 Hollywood Blvd Ste</b> <b>Hollywood, FL 33021</b>	-	<b>Opened 5/06/09</b> <b>Original Creditor Biscayne EKG Associates</b>				<b>75.00</b>
Account No. <b>xxx9029</b>  <b>Gulf Coast Collection</b> <b>5630 Marquesas Cir</b> <b>Sarasota, FL 34233</b>	-	<b>Opened 5/05/09</b> <b>Original Creditor United Radiology-Aventura</b>				<b>717.00</b>
Account No. <b>xx6346</b>  <b>Healthcare Coll Inc</b> <b>2432 W Peoria Ave Ste 4-</b> <b>Phoenix, AZ 85029</b>	-	<b>Opened 10/05/11</b> <b>Original Creditor Banner Ironwood</b>				<b>157.00</b>
Account No.  <b>Heavy Rotation LLC</b> <b>64 Fulton Street</b> <b>Suite 1100</b> <b>New York, NY 10038</b>	-	<b>Alleged Breach of Contract</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>Unknown</b>
Sheet no. <b>2</b> of <b>5</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page) <b>1,024.00</b>

B6F (Official Form 6F) (12/07) - Cont.

In re Earl Simmons, Case No. \_\_\_\_\_  
Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. <b>xxxxxxxxxxxxxxxxxx9165</b>  <b>Integral Recoveries Inc</b> <b>750 W Hampden Ave Ste 50</b> <b>Englewood, CO 80110</b>	-	<b>Opened 8/08/11</b> <b>Medical Charges</b>				<b>2,663.00</b>
Account No.  <b>Internal Revenue Service</b> <b>P.O. Box 7346</b> <b>Philadelphia, PA 19101-7346</b>	-	<b>Income Taxes</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>Unknown</b>
Account No.  <b>Irina Priporina</b> <b>16 Sunningdale Circle</b> <b>Englishtown, NJ 07726</b>	-	<b>Judgment</b>				<b>90,000.00</b>
Account No. <b>xxxxxxx5295</b>  <b>LDC Collect</b> <b>P.O. Box 52110</b> <b>Phoenix, AZ 85072</b>	-	<b>Opened 5/01/08 Last Active 4/01/10</b> <b>Original Creditor Scottsdale Muni</b>				<b>747.00</b>
Account No.  <b>NYS Dept of Tax &amp; Finance</b> <b>Bankruptcy Unit</b> <b>PO Box 5300</b> <b>Albany, NY 12227-0001</b>	-	<b>Income Taxes</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>Unknown</b>
Sheet no. <u>3</u> of <u>5</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page) <b>93,410.00</b>

B6F (Official Form 6F) (12/07) - Cont.

In re **Earl Simmons**

Case No. \_\_\_\_\_

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No.		<b>Judgment</b>				
<b>Olga Priporina</b> <b>124 Clifford Street</b> <b>Hamden, CT 06517</b>	-					<b>62,601.98</b>
Account No. <b>xxxx5831</b>		<b>Opened 3/03/09</b> <b>Original creditor ADT</b>				
<b>Pentagroup Financial</b> <b>5959 Corporate Dr Ste 14</b> <b>Houston, TX 77036</b>	-					<b>195.00</b>
Account No. <b>xxxx5832</b>		<b>Opened 3/03/09</b> <b>Original Creditor ADT</b>				
<b>Pentagroup Financial</b> <b>5959 Corporate Dr Ste 14</b> <b>Houston, TX 77036</b>	-					<b>195.00</b>
Account No. <b>xxxx5834</b>		<b>Opened 3/03/09</b> <b>Original Creditor ADT</b>				
<b>Pentagroup Financial</b> <b>5959 Corporate Dr Ste 14</b> <b>Houston, TX 77036</b>	-					<b>195.00</b>
Account No. <b>xxxx5833</b>		<b>Opened 3/03/09</b> <b>Original Creditor ADT</b>				
<b>Pentagroup Financial</b> <b>5959 Corporate Dr Ste 14</b> <b>Houston, TX 77036</b>	-					<b>193.00</b>
Sheet no. <u>4</u> of <u>5</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						
Subtotal (Total of this page)						<b>63,379.98</b>

B6F (Official Form 6F) (12/07) - Cont.

In re **Earl Simmons**

Case No. \_\_\_\_\_

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. <b>xxxxxxxxxxxx1244</b>  <b>Portfolio Recvry&amp;Affil</b> <b>120 Corporate Blvd Ste 1</b> <b>Norfolk, VA 23502</b>	-	<b>Opened 8/20/09</b> <b>Original Creditor Citibank South Dakota N.A.</b>				<b>4,207.00</b>
Account No. <b>xxS0B9</b>  <b>Rec Mgt Grp</b> <b>2901 University Av #29</b> <b>Columbus, GA 31907</b>	-	<b>Opened 10/01/12 Last Active 3/01/13</b> <b>Medical Services</b>				<b>260.00</b>
Account No.  <b>Sergey Priporin</b> <b>124 Clifford Street</b> <b>Hamden, CT 06517</b>	-	<b>Judgment</b>				<b>93,208.78</b>
Account No.						
Account No.						
Account No.						
Sheet no. <b>5</b> of <b>5</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						<b>97,675.78</b>
Subtotal (Total of this page)						
Total (Report on Summary of Schedules)						<b>479,265.37</b>

In re **Earl Simmons**

Debtor(s)

Case No.

## **SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

☐ Check this box if debtor has no executory contracts or unexpired leases.

**NAME AND MAILING ADDRESS,  
INCLUDING ZIP CODE,  
OF OTHER PARTIES TO LEASE OR CONTRACT.**

**DESCRIPTION OF CONTRACT OR LEASE AND  
NATURE OF DEBTOR'S INTEREST. STATE  
WHETHER LEASE IS FOR NONRESIDENTIAL  
REAL PROPERTY. STATE CONTRACT  
NUMBER OF ANY GOVERNMENT CONTRACT.**

**Her Majesty's Records Inc.  
333 Seymour Street, 10th Floor  
Vancouver, British Columbia B60 5A6, Canada**

**Exclusive Recording Agreement**

Universal Music Corp.  
2440 Spulveda Blvd., Suite 100  
Los Angeles, California 900064-1712

Alleged Administrative Agreement, but Earl Simmons disputes having ever signed it.



**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

**NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b)  
OF THE BANKRUPTCY CODE**

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

**1. Services Available from Credit Counseling Agencies**

**With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis.** The briefing must be given within 180 days **before** the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

**In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge.** The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

**2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors**

**Chapter 7: Liquidation (\$245 filing fee, \$46 administrative fee, \$15 trustee surcharge: Total Fee \$306)**

Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, the United States trustee (or bankruptcy administrator), the trustee, or creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

**Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$46 administrative fee: Total fee \$281)**

Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over

a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

**Chapter 11: Reorganization (\$1,167 filing fee, \$46 administrative fee: Total fee \$1,213)**

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

**Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$46 administrative fee: Total fee \$246)**

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

**3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials**

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court. The documents and the deadlines for filing them are listed on Form B200, which is posted at [http://www.uscourts.gov/bkforms/bankruptcy\\_forms.html#procedure](http://www.uscourts.gov/bkforms/bankruptcy_forms.html#procedure).

B 201B (Form 201B) (12/09)

**United States Bankruptcy Court**  
**Southern District of New York**

In re **Earl Simmons**

Debtor(s)

Case No.

Chapter

**11**

**CERTIFICATION OF NOTICE TO CONSUMER DEBTOR(S)**  
**UNDER § 342(b) OF THE BANKRUPTCY CODE**

**Certification of Debtor**

I (We), the debtor(s), affirm that I (we) have received and read the attached notice, as required by § 342(b) of the Bankruptcy Code.

**Earl Simmons**

Printed Name(s) of Debtor(s)

X **/s/ Earl Simmons**

Signature of Debtor

**July 29, 2013**

Date

Case No. (if known)

X

Signature of Joint Debtor (if any)

Date

**Instructions:** Attach a copy of Form B 201 A, Notice to Consumer Debtor(s) Under § 342(b) of the Bankruptcy Code.

Use this form to certify that the debtor has received the notice required by 11 U.S.C. § 342(b) **only** if the certification has **NOT** been made on the Voluntary Petition, Official Form B1. Exhibit B on page 2 of Form B1 contains a certification by the debtor's attorney that the attorney has given the notice to the debtor. The Declarations made by debtors and bankruptcy petition preparers on page 3 of Form B1 also include this certification.

**United States Bankruptcy Court  
Southern District of New York**

In re **Earl Simmons**

Debtor(s)

Case No.

Chapter

**11**

**VERIFICATION OF CREDITOR MATRIX**

The above-named Debtor hereby verifies that the attached list of creditors is true and correct to the best of his/her knowledge.

Date: **July 29, 2013**

**/s/ Earl Simmons**

**Earl Simmons**

Signature of Debtor

AMERICAN HONDA FINANCE  
600 KELLY WAY  
HOLYOKE, MA 01040

AMUSING DIVERSIONS, INC.  
C/O DANIEL A. EIGERMAN  
260 MADISON AVENUE, 16TH FLOOR  
NEW YORK, NY 10016

BRIAN NIEMITALO AND JESSICA FOWLER  
NIEMITALO  
1375 LYMAN ROAD  
INMAN, SC 29349

BUREAU OF MED ECONCS  
326 E CORONADO RD  
PHOENIX, AZ 85004

CHILD SUPPORT ENFORCEM  
PO BOX 14  
ALBANY, NY 12201

CHRISTOPHER PAVLIK, ESQ.  
FEIN, SUCH & CRANE LLP  
747 CHESTNUT RIDGE RD. STE. 200  
SPRING VALLEY, NY 10977

COMPASS BANK  
C/O CHRIS PAVLIK, FEIN SUCH & CRANE LLP  
747 CHESTNUT RIDGE ROAD  
SPRING VALLEY, NY 10977

ESCALLATE LLC  
5200 STONEHAM RD  
NORTH CANTON, OH 44720

FIRST FED CREDIT & COL  
5821 HOLLYWOOD BLVD STE  
HOLLYWOOD, FL 33021

GARY ADELMAN, ESQ.  
MEISTER SEELIG & FEIN  
140 EAST 45TH ST., 19TH FLOOR  
NEW YORK, NY 10017

GULF COAST COLLECTION  
5630 MARQUESAS CIR  
SARASOTA, FL 34233

HEALTHCARE COLL INC  
2432 W PEORIA AVE STE 4-  
PHOENIX, AZ 85029

HEAVY ROTATION LLC  
64 FULTON STREET  
SUITE 1100  
NEW YORK, NY 10038

HER MAJESTY'S RECORDS INC.  
333 SEYMOUR STREET, 10TH FLOOR  
VANCOUVER

INTEGRAL RECOVERIES INC  
750 W HAMPDEN AVE STE 50  
ENGLEWOOD, CO 80110

INTERNAL REVENUE SERVICE  
P.O. BOX 7346  
PHILADELPHIA, PA 19101-7346

IRINA PRIPORINA  
16 SUNNINGDALE CIRCLE  
ENGLISHTOWN, NJ 07726

LDC COLLECT  
P.O. BOX 52110  
PHOENIX, AZ 85072

MATTHEW T. GAMMONS, ESQ.  
ROSENBAUM & ROSENBAUM, P.C.  
110 WALL STREET, 21ST FLOOR  
NEW YORK, NY 10005

NYS DEPT OF TAX & FINANCE  
BANKRUPTCY UNIT  
PO BOX 5300  
ALBANY, NY 12227-0001

OLGA PRIPORINA  
124 CLIFFORD STREET  
HAMDEN, CT 06517

PENTAGROUP FINANCIAL  
5959 CORPORATE DR STE 14  
HOUSTON, TX 77036

PORTFOLIO RECVRY&AFFIL  
120 CORPORATE BLVD STE 1  
NORFOLK, VA 23502

REC MGT GRP  
2901 UNIVERSITY AV #29  
COLUMBUS, GA 31907

SERGEY PRIPORIN  
124 CLIFFORD STREET  
HAMDEN, CT 06517

TASHERA SIMMONS  
142 MCCLAIN STREET  
MOUNT KISCO, NY 10549

WILLIAM D. FORE, ESQ.  
PO BOX 3852  
GREENVILLE, SC 29608